

REMARKS

Claims 1, 5, 10, 30, and 32 are amended. Claims 1 to 7, 10 to 23, and 25 to 33 are now pending in this application. Claims 15 to 23, 25 to 29 and 31 are withdrawn from consideration. Claims 1 to 7, 10 to 14, 30 and 32 to 33 are before the Examiner. Presently, claims 1 to 7, 11, 12, 14 and 30 stand rejected under 35 U.S.C. §102(b) over the Opp U.S. Patent No. 4,471,055. Claim 14 stands rejected under 35 U.S.C. §103(a) over Opp in view of the McAlister et al. U.S. Patent No. 4,703,763. Claims 32 and 33 stand rejected under 35 U.S.C. §103(a) over the Witonsky et al. U.S. Patent No. 4,521,376 in view of the Wu U.S. Patent No. 6,436,716. Applicants respectfully traverse the rejections and request reconsideration and reexamination of the application.

Applicants have discovered a unique method for determining whether an aldehyde solution has sufficient strength. In this method, although the first and second reactions occur essentially sequentially, a user does not have to manually perform these reactions in sequential order as the chemistry of the first and second reactions handles this automatically. None of the references which were cited in the office action teach or suggest this unique and valuable method.

The Examiner has rejected claims 1 to 7, 11, 12, 14 and 32 under 35 U.S.C. § 102(b) as being anticipated by Opp. Applicants respectfully submit that Opp does not teach all of the claim limitations. Specifically, Opp does not teach having the first reactant performs its reaction in the presence of the second reactant. Rather, Opp teaches away from such a reaction system. In column 5 starting at line 29, Opp describes how in his invention the reaction rates are similar thus requiring some means for allowing the first reaction to complete before initiating the second reaction. The first reaction is shielded from the second reactant either by manually withholding application of the second reactant or by encasing the second reactant in such a fashion as to prevent its immediate dissolution and thus shielding the first reaction from the presence of the second reactant. Accordingly, Opp cannot anticipate as Opp does not teach the limitation of performing the first reacting step in the presence of the second reactant. Further, neither would Opp make the claimed invention

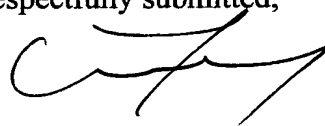
obvious as there is no teaching or suggestion for such a limitation and in fact Opp teaches away from such a method.

The Examiner has rejected claim 14 under 35 U.S.C. §103 over Opp in view of McAlister. There is no suggestion for making the alleged combination and even if made it would not reach the claimed invention. There is no suggestion in either McAlister et al. or Opp for combining these two references. There is no suggestion in McAlister et al. of utility of its syringe for anything other than drawing blood and those in the aldehyde analyzing arts would not be expected to look to the art of blood sampling for a solution to their problems. More importantly, McAlister et al. add nothing to the teaching of Opp regarding the step of performing the first reacting step in the presence of the second reactant. Accordingly, the alleged combination fails to teach or suggest the claimed invention.

The Examiner has rejected claims 32 and 33 under 35 U.S.C. §103(a) over Witanski et al. and Wu. Applicants respectfully submit that the Examiner has misinterpreted the teachings of Witanski et al. The Examiner asserts that the glycine acts as a second reactant with any excess aldehyde. However, that is not how the reaction proceeds. The glycine does not react directly with the aldehyde in this indication system. Rather, the glycine acts with the product of the first reaction. Accordingly, Witanski et al. can neither teach nor suggest the claimed method in which the second reactant reacts directly with excess aldehyde. Wu adds nothing in this regard. Accordingly, Witanski et al. and Wu cannot make obvious Applicants' claimed method.

Applicants submit that the application is now in condition for allowance. Favorable reconsideration and early notice of allowance are earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew C. Farmer', written over a horizontal line.

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